

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DAVID C. GEVAS,

Plaintiff,

v.

DR. ROBERT SHEARING, et al.,

Defendants.

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Case No. 3:13-cv-134-NJR-DGW

**ORDER**

**WILKERSON, Magistrate Judge:**

In this Court's previous Order (Doc. 250), the following deposition schedule was set:

September 24, 2015 at 10:00 a.m. – Ms. Rayburn  
September 24, 2015 at 1:30 p.m. – Ms. Johnson  
September 25, 2015 at 10:00 a.m. – Defendant Harrington  
September 25 at 1:30 p.m. – Defendant Butler  
October 1, 2015 at 10:00 a.m. – Defendant Malley  
October 1, 2015 at 1:30 p.m. – Defendant Skidmore.

It has come to the Court's attention that the video-conferencing facilities at Stateville Correctional Center are not available on October 1, 2015 at 10:00 a.m. Therefore, Defendant Malley's deposition will occur on October 7, 2015 at 10:00 a.m.

This Court also has reconsidered the deposition of Dr. Schicker. In light of the Order entered on August 17, 2015, the following is hereby **ORDERED**:

1. The Clerk of Court is **DIRECTED** to forward to Plaintiff a signed subpoena to testify at a deposition in a civil action along with a copy of this Order.
2. Plaintiff shall fill out the subpoena as to Mr. Schicker and shall note that he is to appear by telephone on **October 7, 2015 at 1:30 p.m.** The subpoena should indicate that Mr. Schicker shall call the following number, (618) 482-9371, in order to participate in the deposition.
3. Plaintiff may serve the subpoena by certified mail with a return receipt. In serving the subpoena, Plaintiff should include any documents that he wants the

witness to review during the deposition. Plaintiff also should include a copy of this Order.

4. Plaintiff must also tender, to the witness, a witness fee consistent with 28 U.S.C. § 1821(b) in the amount of \$40.00. The Court assumes there will be no travel costs associated with Mr. Schicker's deposition. Plaintiff should tender the witness fee to Mr. Schicker along with the subpoena.

5. Plaintiff shall appear by videoconference at the deposition. The stenographer and attorneys shall appear in person. Plaintiff shall be responsible for the stenographer's and his own prompt appearance.

6. The deposition shall last no longer than **2 hours**. Plaintiff's examination shall be no longer than 1 hour. Plaintiff should formulate his questions accordingly. Defendants' cross-examination shall be no longer than a combined 45 minutes. Plaintiff's re-cross shall be no more than 10 minutes.

In light of the foregoing, the deposition schedule is revised as follows:

September 24, 2015 at 10:00 a.m. – Ms. Rayburn  
September 24, 2015 at 1:30 p.m. – Ms. Johnson  
September 25, 2015 at 10:00 a.m. – Defendant Harrington  
September 25 at 1:30 p.m. – Defendant Butler  
October 1, 2015 at 1:30 p.m. – Defendant Skidmore.  
October 7, 2015 at 10:00 a.m. – Defendant Malley  
October 7, 2015 at 1:30 p.m. – Mr. Schicker

**IT IS SO ORDERED.**

**DATED: August 27, 2015**



**DONALD G. WILKERSON**  
**United States Magistrate Judge**